



## State of New Jersey

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*Governor*

DEPARTMENT OF HUMAN SERVICES  
DIVISION OF FAMILY DEVELOPMENT  
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TRENTON, NJ 08625-0716

NATASHA JOHNSON  
*Assistant Commissioner*

The following Decision is distributed for your information. This Decision has been made in consideration of the specific facts of this case. This Decision is not to be interpreted as establishing any new mandatory policy or procedure otherwise officially promulgated.

STATE OF NEW JERSEY  
DEPARTMENT OF HUMAN SERVICES

FINAL DECISION

OAL DKT. NO. HPW 01961-21 J.J.

AGENCY DKT. NO. C341397007 (ESSEX COUNTY DIVISION OF WELFARE)

Petitioner appeals from the Respondent Agency's denial of Work First New Jersey/General Assistance ("WFNJ/GA") benefits. The Agency denied Petitioner WFNJ/GA benefits, contending that he failed to complete a telephonic interview regarding his application for WFNJ/GA benefits and failed to provide required documentation. Because Petitioner appealed, the matter was transmitted to the Office of Administrative Law for a hearing. On April 8, 2021, the Honorable Thomas R. Betancourt, Administrative Law Judge ("ALJ"), held a plenary hearing, took testimony, and admitted documents.

On April 12, 2021, the ALJ issued an Initial Decision, affirming the Agency's determination. Here, the record reflects that Petitioner submitted an on-line application for WFNJ/GA benefits on May 15, 2020, and on May 18, 2020, the Agency had sent Petitioner a letter requesting certain documentation required to determine his WFNJ/GA benefits eligibility, and advising him to contact the Agency to set up a required telephonic interview. See Initial Decision at 2; see also Exhibits P-1, R-1 at 5; see also N.J.A.C. 10:90-2.2(a)(5). Although Petitioner denied receiving the aforementioned letter, the ALJ found that said letter had been sent to Petitioner's correct address. See Initial Decision at 2-3; see also Exhibit R-1 at 5. However, the record further reflects that the Agency had failed to take action on Petitioner's May 2020, WFNJ/GA benefits application until December 2020, when Petitioner had called the Agency to follow up on the status of that application. See Initial Decision at 2. Thereafter, on several occasions, the Agency attempted to contact Petitioner by telephone regarding the required telephonic interview and documentation needed, left several voice messages, but received no contact from Petitioner. See Initial Decision at 2-3; see also Exhibit R-1 at 10, 13-15. Petitioner admitted to receiving two phone calls from the Agency, but claimed that no call back number had been provided by which he could contact them. *Id.* at 3. However, the ALJ found that Petitioner's claim was not credible because he had contacted the Agency in December 2020, to follow up on the status of his application. *Id.* at 2-4. Based on the foregoing, the ALJ found that the Agency had properly contacted Petitioner, and that it was Petitioner who had failed to respond to their calls and had failed to provide the requested documentation. *Id.* at 4. Accordingly, the ALJ concluded that the Agency's denial of WFNJ/GA benefits to Petitioner was proper and must stand. *Ibid.*; see also Exhibit R-1 at 16-20, and N.J.A.C. 10:90-2.2(a)(5). I agree.

No Exceptions to the Initial Decision were received.



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As Assistant Commissioner, Division of Family Development, Department of Human Services, I have considered the ALJ's Initial Decision, and following an independent review of the record, I concur with the ALJ's final conclusion in this matter and hereby ADOPT the Findings of Fact and Conclusion of Law.

By way of comment, Petitioner is advised that he may reapply for WFNJ/GA benefits.

By way of further comment, the transmittal in this matter indicates that Petitioner also appealed the correctness of back WFNJ/GA benefits, which was not addressed by the ALJ in the Initial Decision. Therefore, if Petitioner still has an issue concerning back WFNJ/GA benefits, he may request another fair hearing on that issue alone. However, if Petitioner's assertion is that he is entitled to back WFNJ/GA benefits based on the May 2020, application, based on the above decision, that assertion is now baseless.

Accordingly, the Initial Decision is hereby ADOPTED, and the Agency's determination is AFFIRMED.

Officially approved final version.

MAY 27 2021

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Natasha Johnson  
Assistant Commissioner

